

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**JENNIE COURTNEY,  
AS ADMINISTRATRIX OF THE  
ESTATE OF DENNIS COURTNEY,  
DECEASED,**

**Plaintiff,**

V.

**ANTHONY CLARK, et al.,**

## Defendants.

[illegible]

**CIVIL ACTION NO. : 2:06-CV-600-DRB**

**DEFENDANT DICKEY & ASSOCIATES, INC.'S RESPONSES TO PLAINTIFF'S  
FIRST INTERROGATORIES AND REQUESTS FOR PRODUCTION**

COMES NOW Defendant, Dickey & Associates, Inc., and responds to Plaintiff's First Interrogatories and Requests for Production as follows:

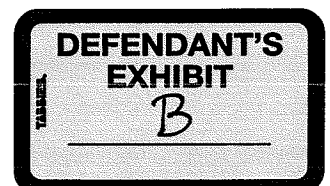
## RESPONSES TO INTERROGATORIES

1. State in detail and chronologically what knowledge you have about the incident that made the basis of this suit.

**RESPONSE:** I do not have any direct knowledge with regard to the incident made the basis of this lawsuit.

2. Please identify each person(s) answering or responding to these interrogatories, including name, business address, and any positions that these may hold with this defendant.

**RESPONSE:** Jerome Dickey, 1160 S. Lawrence Street, Montgomery, AL 36104



3. Please identify your position including but not limited to your role, job, description, duties and/or responsibility with regard to the Covington County jail facility in Covington County, Alabama.

**RESPONSE: Dickey & Associates, Inc., provided plumbing and HVAC drawings pursuant to those specifications submitted by the architect.**

4. Name and identify each person whom you expect to call as an expert witness at the trial of this cause, giving the address of each person and a list of his or her educational background and experience which you claim qualifies such person as an expert.

**RESPONSE: The Defendant objects to Plaintiff's Interrogatory 4. Any and all experts chosen to offer testimony in this matter will be disclosed pursuant to this Court's scheduling order.**

5. State the subject matter on which each person named in the response to Interrogatory # 12 is expected to testify and state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion held by each expert.

**RESPONSE: The Defendant believes Interrogatory 5 contains a typographical error, and thus does not elicit an appropriate response.**

6. State the name and last known address of each person known to you who has any knowledge regarding the facts and circumstances surrounding the incidents referred to in the Complaint.

**RESPONSE: I am unaware of any persons who have direct knowledge regarding the facts and circumstances surrounding the incidents referred to in this Complaint.**

7. State in detail and chronologically what knowledge you have concerning the incidents that made the basis of this lawsuit.

**RESPONSE: I have no direct knowledge of the incident made the basis of this lawsuit.**

8. Please identify with specificity any and all civil lawsuits that you may have been involved in as a party.

**RESPONSE: The Defendant objects to Plaintiff's Interrogatory 8 as it is irrelevant and not designed to elicit discoverable information.**

9. For each time the facility was inspected, please provide the following:
- a. The name of the regulatory authority;
  - b. The date of the inspection;
  - c. The reason for the inspection;
  - d. The results of the inspection;
  - e. Attach true and correct copies of any reports you received from the regulatory authority before or after the inspection;
  - f. Attach true and correct copies of any drafts of responses or proposed responses to the regulatory authorities regarding their inspection;
  - g. Attach true and correct copies of any responses sent to the regulatory authorities or anyone else affiliated with the Covington County jail facility in Covington County, Alabama.

**RESPONSE: To the best of my recollection I attended two inspections at the facility. However, I am unaware of the specific dates these inspections took place. To the best of my recollection, either the Alabama Building Commission or a**

representative of Covington County was present at one or both of these inspections.

**To the best of my knowledge, the inspections were satisfactory.**

10. Do you contend that the acts of any person, firm or corporation other than you in any way caused and/or contributed to the incidents made the basis of this lawsuit? If so, please state the full name and address of such other entity and describe in detail the act or acts of such entity which you contend caused and/or contributed to the subject incident, namely the escape of inmates Oscar Roy Doster and James Darren Harnage.

**RESPONSE: Defendant objects to Interrogatory 10 in that it calls for a legal conclusion which I am unqualified to provide. Without waiving said objection, I can say with certainty that nothing I did caused or contributed to the incidents made the basis of this lawsuit.**

11. State in detail and with specificity this Defendant's involvement in the Covington County jail facility project located in Covington County, Alabama.

**RESPONSE: See Response to Interrogatory 3.**

12. Identify the name of the insurance carrier providing liability insurance coverage for you in this case, including in your answer the complete policy number of each such insurance policy and the limits of coverage of any such insurance policy or policies.

**RESPONSE: The Defendant objects to Interrogatory 12 in that it calls for information that is irrelevant and not designed to elicit discoverable information.**

13. Identify the name of any excess insurance carrier providing excess liability insurance coverage for you in this case, including in your answer the complete

policy number of each such insurance policy and the limits of coverage of any such excess liability insurance policy or policies.

**RESPONSE: See Response to Interrogatory 12.**

14. Please state the name(s) and addresses of all consultants or experts retained by each defendant for purposes of this claim, and completely describe all opinions given by said consultants or experts to your company or to anyone on its behalf.

**RESPONSE: See Response to Interrogatory 4. This Defendant has no knowledge with regard to the Co-Defendants' potential experts.**

15. Please identify each person from whom you or any person or entity acting on your behalf has obtained a statement regarding the incident made the basis of this suit, whether such statement be written or oral, signed or unsigned, including their name, business address, any position they may hold with this defendant and a detailed description of each such person's role, job description, duties and/or responsibilities regarding the Covington County jail facility project and the date said statement was obtained.

**RESPONSE: None.**

16. State the name and last known address of each person known to you who has any knowledge whatsoever regarding the facts and circumstances surrounding the incident referred to in the Complaint.

**RESPONSE: See Response to Interrogatory 6.**

17. Respective to each person employed by you who worked on the Covington County jail facility project located in Covington County, Alabama please state their name, last known address and telephone number, job title or capacity,

professional degree or license held, length of employment noting the date of resignation or dismissal and indicating circumstances of termination.

**RESPONSE: This information will be supplemented once ascertained.**

18. Identify the owner of your business and include their contact information.

**RESPONSE: See Response to Interrogatory 2.**

19. For each time your place of business was investigated and/or inspected, please provide the following:

- a. The name of the regulatory authority;
- b. The date of the investigation and/or inspection;
- c. The reason for the investigation and/or inspection;
- d. The results of the investigation and/or inspection;
- e. Attach true and correct copies of any reports you received from the regulatory authority before or after the investigation or inspection;
- f. Attach true and correct copies of any drafts of responses or proposed responses to the regulatory authorities regarding their investigation and/or inspection.
- g. Attach true and correct copies of any responses sent to the regulatory authorities by you or anyone else affiliated with the Covington County jail facility located in Covington County, Alabama.

**RESPONSE: The Defendant objects to Interrogatory 19 as it is irrelevant.**

**Moreover, this Interrogatory is over broad and unduly burdensome.**

**RESPONSES TO REQUESTS FOR PRODUCTION**

1. Produce copies of any and all contracts of insurance, contracts of indemnity, third party indemnity agreements, which in any way provide insurance coverage or indemnification to you, for the events made the basis of this lawsuit.

**RESPONSE: The Defendant objects to Plaintiff's Request for Production 1 on the same grounds as noted in Responses to Interrogatories 12 and 13.**

2. Produce true and correct copies of any and all documents pertaining to or reflecting upon in any manner the relationship between or among this Defendant and any other Defendant to this lawsuit at any time during the existence of this Defendant.

**RESPONSE: None known of at this time. If any pertinent documents are discovered in the future, they will be provided by amendment.**

3. Any video monitoring/surveillance tapes of the Covington County jail facility located in Covington County, Alabama.

**RESPONSE: None known of at this time. If any pertinent documents are discovered in the future, they will be provided by amendment.**

4. A list of all employees employed by your place of business for the twelve (12) months preceding and following your companies [sic] involvement in the Covington County jail facilities' [sic] planning, designing and/or construction.

**RESPONSE: The Defendant objects to Request for Production 4 in that it is irrelevant. Moreover, the Request is overbroad and unduly burdensome.**

5. A copy of your companies [sic] policies and procedures manual.

**RESPONSE: None.**

6. All licenses, licensing requirements, certificates, certifications, and/or awards for the Defendant and any of its Directors, Employers, Employees or Owners.

**RESPONSE: The Defendant is licensed in Alabama, Georgia, Mississippi, Louisiana, Florida, Tennessee and North Carolina. Copies of these licenses will be provided subsequent to a specific request.**

7. All advertisements, descriptive brochures, pamphlets, press releases, television commercials or infomercials, newspaper or magazine articles, or other documents used by the Defendant to advertise, inform or educate the general public or professionals of the services offered by the Defendant for the past five (5) years.

**RESPONSE: None, except the phone book.**

8. Produce a true, correct and complete copy of any and all documents in this Defendant's possession, custody or control regarding the Covington County jail facility project located in Covington County, Alabama.

**RESPONSE: The Defendant objects to Request for Production 8 as it is overbroad and unduly burdensome.**

9. Produce a true, correct and complete copy of any and all documents upon which you or your counsel relied to answer the preceding interrogatories.

**RESPONSE: See Response to Request for Production 8.**

10. Produce a true, correct and complete copy of any and all contracts, correspondence, memoranda, e-mails, estimates, bids, plans, invoices or any other documents by or between this Defendant and any other Defendant, regarding the Covington County jail facility project located in Covington County, Alabama.



**RESPONSE: See Response to Request for Production 8.**

11. Produce a true, correct and correct [sic] copy of any citations and/or penalties imposed on this Defendant as a result of the incident made the basis of this suit by any regulatory or law enforcement agency.

**RESPONSE: None.**

12. Produce a true, correct and complete copy of any investigative report produced by any regulatory or law enforcement agency as a result of the incident made the basis of this lawsuit.

**RESPONSE: None.**

13. Produce a true, correct and complete copy of any and all electronic e-mail files, word processing files, spreadsheet files, and any other electronic files in this Defendant's possession, custody or control regarding or relating to the Covington County jail facility project located in Covington County, Alabama.

**RESPONSE: See Response to Request for Production 8.**


Respectfully submitted on this 14<sup>th</sup> day of February, 2007.

  
JEROME DICKEY

STATE OF ALABAMA )

COUNTY OF Montgomery )

Sworn to and subscribed before me on this the 14<sup>th</sup> day of February, 2007.

  
Notary Public

My Commission Expires:  
\_\_\_\_\_



ALAN T. HARGROVE (HAR236)

R. BRETT GARRETT (GAR085)

Attorneys for Defendant Dickey and Associates, Inc.

OF COUNSEL:

RUSHTON, STAKELY, JOHNSTON & GARRETT, P.A.

Post Office Box 270

Montgomery, Alabama 36101-0270

(334) 206-3100

**CERTIFICATE OF SERVICE**

I hereby certify that on February 14, 2007, I have served the foregoing by placing a copy of the same in the United States Mail, postage prepaid, upon:

Daryl L. Masters, Esq.

Gary L. Williford, Jr., Esq.

Post Office Box 240909

Montgomery, Alabama 36124

*(Counsel for Anthony Clark, Jerry Wayne Edgar & Walter Inabinett)*

Steven Keith Herndon, Esq.

Matthew Y. Beam, Esq.

Gidiere, Hinton, Herndon & Christman

60 Commerce Street, Suite 904

Montgomery, AL 36104

*(Counsel for Hollis & Spann, Inc.)*

Bert Pittman Taylor, Esq.

Taylor Ritter, P.C.

P.O. Box 489

Orange Beach, AL 36561

*(Counsel for Black Creek Integrated Systems Corp.)*

Darden Engineers, Inc.

P.O. box 126

Dadeville, Alabama 36853-0126

Oscar Roy Doster (AIS # 177168)  
P.O. Box 150  
Mt. Meigs, Alabama 36057

James Darren Harnage (AIS # 239251)  
P.O. Box 150  
Mt. Meigs, Alabama 36057

Britt V. Bethea  
50 N. Florida Street  
Mobile, AL 36607



---

OF COUNSEL